

Application No. : 10/749,791
Filed : December 29, 2003

REMARKS

Claims 1 – 37 were pending in the application. By this paper, Applicant has canceled Claims 1 – 38 without prejudice, and added new Claims 38 – 80. Accordingly, Claims 38 – 80 are presented for examination herein.

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Request-for-Continued Examination (RCE)

Applicant files herewith an RCE for continued examination of the above identified application.

10 *Objected-to and New Claims*

Per page 9 of the Office Action, Claims 18, 19, 31, and 32 each stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15 Applicant has accordingly herein added new independent Claim 38, which corresponds generally to objected-to Claim 31, including all of the limitations of base Claim 27. Applicant respectfully submits that Claim 38 is therefore in condition for allowance.

Newly added dependent Claims 39 – 42 depend from newly added Claim 38. Support for these new Claims 39 – 42 can be found at, *inter alia*, previously submitted Claims 32, 11, 33, and 34, respectively; and hence comprise no new matter.

20 Applicant has herein also added new independent Claim 43. Claim 43 corresponds generally to objected-to Claim 18, including all of the limitations of rejected base Claim 1. Applicant therefore respectfully submits that Claim 43 is in condition for allowance as well.

25 Newly added Claims 44 – 55 depend either directly or indirectly from newly added Claim 43. Support for Claims 44 – 55 can be found at, *inter alia*, previously submitted Claims 19, 2 – 9, 20, 21 and 11, respectively; and hence comprise no new matter.

Independent Claims 56, 73 and 69, 70 also generally correspond to objected-to Claims 18 and 31, respectively, and therefore Applicant respectfully believes that these claims are in condition for allowance as well.

30 Newly added Claims 57 – 68 depend either directly or indirectly from newly added Claim 56. Support for Claims 57 – 68 can be found at, *inter alia*, previously submitted Claims 19, 2 – 9, 20, 21 and 11, respectively; and hence comprise no new matter.

Application No. : 10/749,791
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Newly added Claims 71 and 72 depend from newly added independent Claim 70. Support for Claims 71-72 can be found, *inter alia*, at previously presented Claims 32 and 22. Therefore, Applicant respectfully submits that Claims 71 and 72 add no new matter.

5 Lastly, newly added Claims 74 – 80 depend either directly or indirectly from newly added independent Claim 73. Support for Claims 74-80 can be found at, *inter alia*, previously submitted Claims 19, 7, 8, 20 – 22, respectively; and hence comprise no new matter.

Applicant therefore submits that each of the foregoing new claims comprise patentable subject matter and are in condition for allowance

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§112 Rejections

Claims 14, 15 and 36 – Per page 3 of the Office Action, Claims 14, 15 and 36 each stand rejected under 35 U.S.C. § 112. Applicant has herein canceled Claims 14, 15 and 36 without prejudice thereby rendering the Examiner’s rejection moot.

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§103 Rejections

Claims 1 – 17, 20 – 30 and 33 – 37 – Per page 4 of the Office Action, Claims 1 – 17, 20 – 30 and 33 – 37 each stand rejected under 35 U.S.C. 103 as being unpatentable over Masunaga et al. (U.S. Patent No. 6,909,699, hereinafter “Masunaga”) in view of LaFollette et al. (U.S. 20 Patent No. 6,212,171, hereinafter “LaFollette”). Applicant has herein canceled Claims 1 – 17, 20 – 30 and 33 – 37 without prejudice thereby rendering the Examiner’s rejection moot.

Other Remarks

25 Applicant hereby specifically reserves all rights of appeal (including those under the Pre-Appeal Pilot Program), as well as the right to prosecute claims of different scope in another continuation or divisional application.

30 Applicant notes that any claim cancellations or additions made herein are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art or for patentability. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant’s position with respect to any

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claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such cancellations or additions.

Furthermore, any remarks made with respect to a given claim or claims are limited solely to such claim or claims.

5 If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (858) 675-1670.

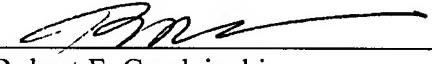
Respectfully submitted,

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GAZDZINSKI & ASSOCIATES

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